

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Norman NASHED et al.

Serial No.: 09/619,493

Group Art Unit: 1616

Filed: July 19, 2000

Examiner: S.N. Qazi

For: THERAPEUTIC GESTAGENS FOR THE TREATMENT OF PREMENSTRUAL

DYSPHORIC DISORDER

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

	Unde disclo	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:			
		within three months of the filing date of a national application other than a CPA under § 1.53(d);			
		within three months of the actual filing date of the national phase of a PCT application; OR			
		before the mailing of a first substantive office action (including after filing of an RCE).			
\boxtimes	Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of:				
		a final rejection under 37 C.F.R. 1.113;			
		termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR			

1

01/31/2005 MBIZUNES 00000078 09619493

180.00 OP

SCH 1686 C1

02 FC:1806

			a notice of anowance under 37 C.F.R. § 1.311; and
		is acco	mpanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
		\boxtimes	a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
			a final action under 37 C.F.R. § 1.113;
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311;
	AND is	filed o	on or before payment of the issue fee; AND is accompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
Staten	ents Un	der 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited 1	Materials	<u> </u>	
		ancesto	of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form y the applicant; see 37 C.F.R. § 1.98(d).

	\boxtimes	Copies of the materials listed are attached (except for the foregoing).		
Non-l	English]	Language References		
		An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).		
		A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:		
		 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document 		
		A = document defining the general state of the art		
		O = non-written disclosure P = intercalated document		
		T = document cited to understand the theory or principle underlying the invention		
		E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date		
		D = cited in the application		
		L = cited for another reason		
		& = publication of member of same patent family		
		Translation of other relevant information on foreign search report		
		[insert necessary translation here]		
Other	Informa	<u>ation</u>		
Payme	ent of Fe	ees Due (If Any):		
\boxtimes				
	Please	charge to Deposit Account No. 13-3402 \$ for the fee identified above.		

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Harry B. Shubin, Reg. No. 32,004 Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza l 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333 Facsimile: (703) 243-6410

FILED: <u>January 27, 2005</u> K:\Sch\1686C1\IDS 1-27-05.doc

6	PEGG
MAL	2 7 2005
+ PICATA	TRADEN ARE U.S. Pate

Please type a plus sign (+) inside this box

Sheet

2

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE

Application Number

Filing Date

STATEMENT BY APPLICANT

of

3

(use as many sheets as necessary)

Complete if Known		
Application Number	09/619,493	
Filing Date	July 19, 2000	
First Named Inventor	N. Nashed et al.	
Group Art Unit	1616	
Examiner Name	S. Qazi	
Attorney Docket Number	SCH 1686 C1	

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS			
Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2	
F1	Malinee Sangthawan et al., A comparative study of monophasic oral contraceptives containing either drospirenone 3 mg or levonorgestrel 150 µg on premenstrual symptoms, Science Direct, 19 July 2004.		
		_	
		_	
	No. ¹	Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. Malinee Sangthawan et al., A comparative study of monophasic oral contraceptives containing either	

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.